

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA**

EDWARD PATCHCOSKI, *et al*, :

Plaintiffs : **CIVIL ACTION NO. 3:19-1556**

v. : **(JUDGE MANNION)**

W.L. GORE & ASSOC., INC, *et al*, :

Defendants :

ORDER

In accordance with the Memorandum issued this same day, and upon consideration of the defendants' motion to dismiss, **(Doc. 6), IT IS HEREBY ORDERED THAT:**

- (1)** The defendants' motion is **DENIED** with respect to plaintiff Edward Patchcoski's design defect strict liability claim in Count I of the complaint, (Doc. 1-1), and this claim shall **PROCEED**;
- (2)** The defendants' motion is **DENIED** with respect to the plaintiff's manufacture defect strict liability claim in Count I of the complaint, (Doc. 1-1), and this claim shall **PROCEED**;
- (3)** The defendants' motion is **DENIED** with respect to the plaintiff's negligence claim in Count II of the complaint, (Doc. 1-1), and this claim shall **PROCEED**;

- (4) The defendants' motion is **DENIED** with respect to the loss of consortium claim of plaintiff Susan Patchcoski in Count III of the complaint, (Doc. 1-1), and this claim shall **PROCEED**; and
- (5) The defendants shall file their answer to all of the claims in the plaintiffs' complaint **within 14 days** of the date of this Order.

s/ Malachy E. Mannion
MALACHY E. MANNION
United States District Judge

DATE: July 28, 2020
19-1556-01-ORDER